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SUBSIDIARY BODY FOR IMPLEMENTATION
Seventh session
Bonn, 20-29 October 1997
Item 2 (a) of the provisional agenda

# PROVISIONAL AGENDA AND ANNOTATIONS

## Note by the Executive Secretary

## I. INTRODUCTION

1. Arrangements have been made for the seventh session of the Subsidiary Body for Implementation (SBI) to be held at the Beethovenhalle, Bonn, from 20 to 29 October 1997. The session will be opened by the Chairman at 10 a.m. on Monday, 20 October 1997.

## II. PROVISIONAL AGENDA

2. The provisional agenda for the seventh session of the SBI, proposed after consultation with the Chairman, is as follows:

1. Opening of the session.

2. Organizational matters:

   (a) Adoption of the agenda;
   (b) Organization of the work of the session.

3. National communications:

   (a) Communications from Parties included in Annex I to the Convention;
   (b) Communications from Parties not included in Annex I to the Convention.

4. Financial mechanism: Review process referred to in decision 9/CP.1.

5. Activities implemented jointly under the pilot phase.

6. Development and transfer of technologies.

7. Arrangements for intergovernmental meetings.

8. Proposed amendments to the Convention.

9. Administrative and financial matters.

10. Mechanisms for consultation with non-governmental organizations (NGOs).

11. Legal matters: Implementation of the Headquarters Agreement.

12. Report on the session.

## III. ANNOTATIONS TO THE PROVISIONAL AGENDA

### 1. Opening of the session

3. The seventh session of the SBI will be opened by the Chairman at 10 a.m. on Monday, 20 October 1997.

### 2. Organizational matters

#### (a) Adoption of the agenda

4. The provisional agenda for the seventh session of the SBI is presented for adoption (see paragraph 2 above).

#### (b) Organization of the work of the session

(i) Co-ordination with the SBSTA

5. The SBI will need to prepare at its seventh session its recommendations to the third session of the Conference of the Parties (COP 3) on some matters before it. The SBI may wish to continue following the approach it had taken at its sixth session.

6. The provisional agenda and annotations reflect the recommendations on the division of labour between the SBI and the Subsidiary Body for Scientific and Technological Advice

(SBSTA) that were adopted by both bodies at their sixth sessions. At their seventh sessions, several agenda items are common to both. This is, *inter alia*, a reflection of the need for the SBI to assist the COP in its reviews on the effective implementation of the Convention. Several ways exist to ensure co-ordination on such issues between the subsidiary bodies. For example, ad-hoc joint sessions could be held. Alternatively, one body may request the other to handle the issue on its behalf, in order to ensure an integral consideration. Another option is that one body may take overall responsibility in considering an issue, requesting adequate and specific inputs from the other body. Or finally, informal joint drafting groups could be established.

7. The Chairmen of the SBI and the SBSTA may make proposals on the organization of work of such common items, for consideration by the bodies.

(ii) Documentation

8. The provisional agenda has been drawn up taking account of the expected timely availability of documentation in the six languages of the United Nations. There are some exceptions as indicated below.

9. Documents FCCC/SBI/1997/18, FCCC/SBI/1997/19 and Add.1, FCCC/SBI/1997/22, FCCC/SBI/1997/INF.1/REV.1, FCCC/SBI/1997/INF.3, FCCC/SBI/1997/INF.4, FCCC/SBI/1997/INF.5, FCCC/SBI/1997/INF.6, FCCC/SBI/1997/INF.7, FCCC/SBI/1997/INF.8, FCCC/SBI/1997/MISC.7, and FCCC/SBI/1997/MISC.8 may be late.

10. A list of documents relating to the provisional agenda, as well as other documents available at the session, is contained in annex I to this document.

(iii) Schedule

11. The scheduling of meetings for the session will be based on the availability of facilities during normal working hours when services are available for one meeting with interpretation from 10 a.m. to 1 p.m. and 3 p.m. to 6 p.m. There will also be some facilities for informal meetings without interpretation. Delegations are urged to use these facilities fully by attending all meetings promptly at the scheduled time. A suggested approach to the organization of work is contained in annex II to this document.

## 3. National communications

### (a) Communications from Parties included in Annex I to the Convention

12. The Subsidiary Body for Scientific and Technological Advice (SBSTA), at its fifth session, *inter alia*, requested the secretariat to prepare an initial compilation and synthesis by the seventh session of the SBSTA for all second communications received by 15 April 1997 (see document FCCC/SBSTA/1997/4).

13. The SBI, at its sixth session requested the secretariat to submit a report on progress achieved in returning individually or jointly to their 1990 levels anthropogenic emission of $CO_2$ and other greenhouse gases (GHGs) not controlled by the Montreal Protocol and projected emissions by sources and removals by sinks of such gases in the year 2000 by each Annex I Party, on the basis of its national communication (FCCC/SBI/1997/16).

14. In response to these requests the secretariat has prepared the first compilation and synthesis report of second national communications received by the secretariat by 15 August 1997 (FCCC/SBI/1997/19 and Add.1) and an information document (FCCC/SBI/1997/INF.4) which analyzes the progress achieved by Annex I Parties. However, due to the late availability of second communications the analysis cannot be exhaustive.

15. In accordance with the division of labour between the subsidiary bodies, the SBI may wish to consider these documents with a view to evaluating the progress achieved so far. The SBI may also wish to take into consideration an earlier document containing updated information on GHG emissions and projections (FCCC/SB/1997/6) drawn from all available communications and prepared for the sixth sessions of the subsidiary bodies.

16. At its second session, by its decision 9/CP.2, the COP decided that the review process should be continued in accordance with its relevant decisions (FCCC/CP/1996/15/Add.1). The secretariat will make a report on the progress achieved in the process of reviewing first national communications from Parties included in Annex I to the Convention and on the status of submission of their second national communications (FCCC/SBI/1997/INF.6).

17. At the request of the SBI (FCCC/SBI/1997/16, para. 16 (a)), at its sixth session, the secretariat will prepare a report on experiences with the review process of first national communications (FCCC/SBI/1997/20).

18. At the request of the SBI (FCCC/SBI/1997/16, para. 16 (c)), at its sixth session, and on the basis of responses received from Annex I Parties, the secretariat has prepared the schedule of the in-depth review (IDR) of their second national communications. The SBI may wish to take note of this schedule (FCCC/SBI/1997/INF.5) and invite Parties to adhere to the schedule to the extent possible.

19. The SBI may wish to note that the secretariat has prepared an overview of the information on transfer of technologies by Annex II Parties (FCCC/SBSTA/1997/13) on the basis of second communications. This overview, in accordance with the division of labour, is to be considered by the SBSTA.

**(b) Communications from Parties not included in Annex I to the Convention**

(i) Secretariat activities to facilitate the provision of financial and technical support

20. At its second session, by its decision 10/CP.2, paragraph 1(a), the COP requested the secretariat, in accordance with Article 8.2(c), to facilitate assistance to Parties, particularly developing country Parties, in the preparation of their initial communications through the organization of workshops at the regional level; to provide a forum for the exchange of experiences in the development of emission factors and activity data for the estimation of the inventory, as well as, on request, for other elements of information in the initial communication; and to provide a report to the SBI and the SBSTA at each of their sessions (FCCC/CP/1996/15/Add.1). The secretariat will provide a progress report on these issues in document FCCC/SBI/1997/INF.3, which also contains updates to the information on the indicated dates of submission of the initial national communications of non-Annex I Parties which had been presented to the SBI at its sixth session (FCCC/SBI/1997/13).

(ii) Information on relevant action by the Council of the Global Environment Facility (GEF)

21. At its second session, by its decision 10/CP.2, paragraph 1(b), the COP requested the secretariat to make available to the SBI, at each of its sessions, details of the financial support provided to non-Annex I Parties by the GEF for the preparation of their initial communications (see FCCC/CP/1996/15/Add.1). This information will be contained in the report of the GEF to the Conference of the Parties (FCCC/SBI/1997/22).

(iii) Process for considering non-Annex I communications

22. At its sixth session, the SBI took note of the views expressed by Parties and of two proposals for a draft decision (FCCC/SBI/1997/16, para. 19 (b)). It invited Parties to submit further views by 8 September 1997 and requested the secretariat to make them available to the SBI in order to facilitate consideration of a draft decision for submission to COP 3. The compilation of submissions will be contained in document FCCC/SBI/1997/MISC.8.

**4. Financial mechanism: Review process referred to in decision 9/CP.1**

23. As requested by decision 11/CP.2 of the COP, the SBI, at its fifth session, began to undertake the review process of the financial mechanism referred to in decision 9/CP.1 on the basis of guidelines contained in document FCCC/SBI/1997/6 paragraphs 27-28 with a view to report on the outcome to COP 3.

24. At its sixth session, the SBI considered information from the GEF, the synthesis report by the secretariat (FCCC/SBI/1997/8), a first compilation of views submitted by Parties (FCCC/SBI/1997/MISC.3 and Add.1), as well as the draft decision proposed by the Chairman

(FCCC/SBI/1997/16, appendix III). It urged all Parties to submit their views on the financial mechanism in accordance with the guidelines for its review no later than 15 September 1997.

25. The secretariat will provide a compilation of these submissions in document FCCC/SBI/1997/MISC.9.

26. At its sixth session, the SBI also invited the GEF, in providing information relevant to the review, to take into account the views expressed by Parties. The report of the GEF to the Third Session of the Conference of the Parties will be provided in document FCCC/SBI/1997/22.

## 5. Activities implemented jointly under the pilot phase

27. At its first session, by its decision 5/CP.1, paragraph 2(c), the COP requested the SBI and the SBSTA, with the assistance of the secretariat, to prepare a synthesis report for consideration by the COP (FCCC/CP/1995/7/Add.1).

28. In keeping with decision 5/CP.1, paragraph 3(a), the COP, at its third session, shall review the progress of the pilot phase on the basis of the abovementioned synthesis report with a view to taking appropriate decisions on the continuation of the pilot phase. Consistent with paragraph 3(b) of the same decision, the COP, in so doing, shall also take into consideration the need for a comprehensive review of the pilot phase in order to take a conclusive decision on the pilot phase and the progression beyond that, no later than the end of the present decade (FCCC/CP/1995/7/Add.1).

29. At its seventh session, the SBI may wish to prepare a recommendation to be adopted by the COP at its third session on the aforementioned issues, taking into consideration conclusions on technical and scientific aspects drawn by the SBSTA at its seventh session.

## 6. Development and transfer of technologies

30. At its second session, the COP adopted decision 7/CP.2 on the development and transfer of technologies in which, *inter alia*, reaffirmed the full text of its decision 13/CP.1 agreed at its first session (FCCC/CP/1996/15/Add.1).

31. By its decision 7/CP.2, the COP, further decided to review, at its third session and at each of its sessions thereafter, the implementation of Article 4.5 and 4.1(c) of the Convention and to request the SBI to evaluate and report on the transfer of technologies being undertaken between Annex II Parties and other Parties (FCCC/CP/1996/15/Add.1).

32. The SBI may wish to assess and review, within its mandate and taking into account the division of labour with the SBSTA, the implementation of the relevant articles of the Convention and decisions by the COP. The SBI may base itself, in particular, on the first compilation and synthesis of second communications (FCCC/SBI/1997/19), noting that the

SBSTA will have the responsibility for providing advice on all scientific, technological and methodological aspects of the development and transfer of technologies.

## 7. Arrangements for intergovernmental meetings

33. At its sixth session, the SBI, invited any Party considering to make an offer to host COP 4 to communicate such proposal to the secretariat before 30 September 1997. The secretariat will inform the SBI of any such offer received.

## 8. Proposed amendments to the Convention

34. At its sixth session, the SBI agreed to conduct a preliminary exchange of views on the proposed amendments to the Convention at that session. In all, four proposals for amendments were submitted by Parties. The proposals from Pakistan and Azerbaijan were submitted at the request of Turkey and they seek the deletion of the name of Turkey from the lists of Parties included in annexes according to Articles 15 and 16 or through the review process envisaged in Article 4.2(f) of the Convention.

35. The proposal submitted by the Netherlands on behalf of the European Community and its member States seeks to amend Article 17 of the Convention and the proposal submitted by Kuwait seeks to amend Article 4.3 of the Convention. The SBI may wish to take note of the proposal by Pakistan that its amendment proposal should be sent directly to COP 3 for consideration. The SBI is invited to consider the proposed amendments contained in document FCCC/SBI/1997/15 and communicate its views to the COP at its third session.

## 9. Administrative and financial matters

36. At its second session, the COP, requested the Executive Secretary to submit to the COP at its third session, through the SBI, a second report on the financial performance of the Convention in the 1996-1997 biennium (see decision 16/CP.2 in document FCCC/CP/1996/15/Add.1). In response to this request, the Executive Secretary will prepare the note contained in document FCCC/SBI/1997/18. This note provides information on income, expenditure, and related budgetary matters for all three of the current Convention funds (the Trust Fund for the Core Budget, the Trust Fund for Participation, and the Trust Fund for Supplementary Activities). It also includes a request for the creation of a new trust fund for the special annual contribution of the Government of Germany (the "Bonn Fund"). The note should be read in conjunction with document FCCC/SBI/1997/INF.7, which contains a number of supporting tables.

37. In relation to administration, the arrangements for provision by the United Nations of administrative support to the Convention secretariat were initially proposed by the Secretary-General and accepted by the COP at its first session (see decision 14/CP.1 in document FCCC/CP/1995/7/Add.1). As indicated in a note by the secretariat submitted to the SBI at its last session (FCCC/SBI/1997/INF.2), these arrangements are the subject of review

undertaken jointly by the United Nations Department of Administration and Management and the Convention secretariat. The final results of this review will be presented in document FCCC/SBI/1997/INF.8.

## 10. Mechanisms for consultation with non-governmental organizations (NGOs)

38. At its sixth session, the SBI took note of documents FCCC/SBI/1997/14 and Add.1 presented by the secretariat on agenda item 10, mechanisms for consultations with non-governmental organizations.

39. After having considered this item, and taking into account views expressed, the SBI urged all Parties to submit their views on this item no later than 25 August 1997. These views will be compiled by the secretariat in document FCCC/SBI/1997/MISC.7.

40. Taking into account the documents mentioned above, the SBI may wish to recommend a draft decision on this item for adoption by the COP at its third session.

## 11. Legal matters: Implementation of the Headquarters Agreement

41. At its fifth session, the SBI took note of the actions by the United Nations and the Government of Germany to complete the formal requirements for the entry into force of the Agreement among the United Nations, the Government of Germany and the secretariat of the United Nations Framework Convention on Climate Change (UNFCCC) concerning the Headquarters of the Climate Change secretariat, and requested the secretariat to provide to the SBI relevant information at its next session. The Federal Foreign Office of Germany, by a note verbale dated 17 July 1997, informed the secretariat that the Federal Republic of Germany had fulfilled the national requirements for the entry into force of the Agreement between the Government of the Federal Republic of Germany, the United Nations and the secretariat of the United Nations Framework Convention on Climate Change in accordance with Article 6, paragraph 6, of the Agreement of 20 June 1996.

42. It may be recalled that the COP, at its second session, by its decision 15/CP.2, approved the abovementioned Agreement, and the United Nations completed the formal requirements for entry into force of the Agreement in December 1996.
The Government of Germany in December 1996 issued an ordinance on the provisional application of the Agreement in accordance with Article 6, paragraph 5, with the exception of Article 3. By this action of the Government of Germany, all the provisions of the Agreement entered into force on the day following the date of receipt of the last notifications by which the parties to the Agreement will have informed each other of the completion of their respective formalities. The SBI is invited to take note of the action by the Government of Germany and the entry into force of the Agreement on 18 July 1997.

## 12. Report on the session

43. Due to the relatively short duration of the session and the number of items on its agenda, a complete draft text of the report might not be available at the end of the session. The SBI may wish to adopt decisions or texts of substantive conclusions, and authorize the Rapporteur to complete the report after the session with the guidance of the Chairman and the assistance of the secretariat. Subject to the availability of sufficient time for their translation, conclusions will be made available in all languages.

Annex I

## DOCUMENTS BEFORE THE SUBSIDIARY BODY FOR IMPLEMENTATION AT ITS SEVENTH SESSION

### Documents prepared for the session

| | |
|---|---|
| FCCC/SBI/1997/17 | Provisional agenda and annotations. |
| FCCC/SBI/1997/18 | Financial performance of UNFCCC: Contributions and expenditures in 1996-1997. |
| FCCC/SBI/1997/19 | Communications from Parties included in Annex I to the Convention: First compilation and synthesis of second communications. |
| FCCC/SBI/1997/19/Add.1 | Communications from Parties included in Annex I to the Convention: First compilation and synthesis of second communications. Addendum. Tables of inventories of anthropogenic emissions and removals and projections up to the year 2020. |
| FCCC/SBI/1997/20 | Experience with the review of first national communications from Annex I Parties. |
| FCCC/SBI/1997/21 | Arrangements for intergovernmental meetings. |
| FCCC/SBI/1997/22 | Financial Mechanism: Report of the GEF to the Conference of the Parties. Note by the secretariat. |
| FCCC/SBI/1997/INF.3 | Communications from Parties not included in Annex I to the Convention. Progress Report. |
| FCCC/SBI/1997/INF.4 | Communications from Parties included in Annex I to the Convention. First compilation and synthesis of second communications. Addendum: Additional information from late submissions. |
| FCCC/SBI/1997/INF.5 | Schedule of in-depth review of the second national communications from Annex I Parties. |

| | |
|---|---|
| FCCC/SBI/1997/INF.6 | Status report on the review of first national communications of Annex I Parties and the submission of second national communications. |
| FCCC/SBI/1997/INF.7 | Financial performance of UNFCCC: Contributions and expenditures in 1996-1997. Supplementary tables. |
| FCCC/SBI/1997/INF.8 | Review of administrative arrangements. Note by the secretariat |
| FCCC/SBI/1997/MISC.7 | NGO (title to come). |
| FCCC/SBI/1997/MISC.8 | Communications from Parties not included in Annex I to the Convention: Views of Parties on a process for considering non-Annex I communications: Update. |
| FCCC/SBI/1997/MISC.9 | Financial Mechanism: Review process referred to in decision 9/CP.1. Compilation of submissions by Parties. |

**Other documents for the session**

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|---|---|
| FCCC/SBI/1997/6 | Report of the Subsidiary Body for Implementation on the work of its fifth session, Bonn 25 February - 6 March 1997. |
| FCCC/SBI/1997/8 | Financial and technical cooperation: Financial mechanism: Review process referred to in decision 9/CP.1. Synthesis report. |
| FCCC/SBI/1997/13 | Communications from Parties not included in Annex I to the Convention. Information on the submission of initial national communications. |
| FCCC/SBI/1997/14 | Mechanisms for consultations with non-governmental organizations (NGOs). Note by the secretariat. |
| FCCC/SBI/1997/14/Add.1 | Mechanisms for consultations with non-governmental organizations. Addendum. The participation of NGOs in the Convention process. Note by the Executive Secretary. |

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|---|---|
| FCCC/SBI/1997/15 | Arrangements for intergovernmental meetings. Amendments to the Convention or its Annexes. Letters from the Islamic Republic of Pakistan, the Azerbaijan Republic, the Netherlands (on behalf of the European Community and its Member States) and Kuwait proposing amendments to the Convention or its Annexes. Note by the secretariat. |
| FCCC/SBI/1997/16 | Report of the Subsidiary Body for Implementation on the work of its sixth session, Bonn, 28 July - 5 August 1997. |
| FCCC/SBI/1997/INF.2 | Administrative and financial matters. Review of Administrative Arrangements. Note by the secretariat. |
| FCCC/SBI/1997/MISC.3 | Financial mechanism. Review process referred to in decision 9/CP.1. Compilation of submissions. Note by the secretariat. |
| FCCC/SBI/1997/MISC.3/Add.1 | Financial mechanism. Review process referred to in decision 9/CP.1. Additional submission. Addendum. Note by the secretariat. |
| FCCC/SB/1997/6 | Communications from Parties included in Annex I to the Convention. Inventory and projection data. |
| FCCC/CP/1996/15/Add.1 | Report of the Conference of the Parties on its second session, held at Geneva from 8 - 19 July 1996. Part two. |
| FCCC/SBSTA/1997/4 | Report of the Subsidiary Body for Scientific and Technological Advice on the work of its sixth session, Bonn, 28 July - 5 August 1997. |
| FCCC/SBSTA/199713 | Second communications from Parties included in Annex I to the Convention. Activities of Parties included in Annex II related to transfer of technology. |

Annex II

## PROPOSED SCHEDULE OF WORK FOR THE SEVENTH SESSION OF THE SUBSIDIARY BODY FOR IMPLEMENTATION[1]

| | Monday 20 October | Tuesday 21 October | Wednesday 22 October | Thursday 23 October | Wednesday 29 October |
|---|---|---|---|---|---|
| 10 a m to 1 p m | Items 1, 2, 3 (b), 5 & 6 | Items 3 (a), 4, 7, 8 & 10 | | | Item 12 |
| 3 p m to 6 p m | | | | Items 9 & 11 | |

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1 Some meetings of the SBI will be held in parallel with informal meetings of the SBSTA and the AGBM